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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/923,425	08/08/2001	Yasunori Arai	212593US2S CONT	9938
22850	7590	11/30/2004		
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER MARTIN, NICHOLAS A	
			ART UNIT	PAPER NUMBER
			2154	

DATE MAILED: 11/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/923,425

Applicant(s)

ARAI, YASUNORI

Examiner

Nicholas A. Martin

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 8/8/2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/923,425.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>8/8/2001</u> . | 6) <input type="checkbox"/> Other: _____ |

1. Claims 1-6 are presented for examination.

Claim Objections

2. Claim 1, lines 15, is objected to because there is a typographical error. It states, "...content form the server" where it should be "...content from the server".
3. Claim 2, lines 6-7, is objected to because there is a typographical error. It states, "...a server through Internet" where it should be "...a server through *the* Internet" in which "*the*" is missing.
4. Claim 4, lines 1-2, is objected to because there is a typographical error. It states, "...content onto Internet" where it should be "...content onto *the* Internet" in which "*the*" is missing.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting

directly or indirectly from an international application filed before November 29, 2000.

Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. Claims 1-5 are rejected under 35 U.S.C. 102(e) as being anticipated by Shaffer et al. (hereinafter Shaffer), US 6,092,114.

6. As per claim 1, Shaffer teaches a multimedia providing system, comprising:
a server capable of transmitting multimedia content onto the Internet (Col. 1, lines 43-45);

a multimedia conversion server capable of obtaining the multimedia content and retransmitting the content to the outside of the Internet (Col. 5, lines 30-35);

a multimedia terminal capable of obtaining the multimedia content retransmitted and providing the content for a user to use the content (Col. 5, lines 30-35), wherein the multimedia conversion server includes:

first access means for accessing the server through the Internet (Col. 6, lines 6-12);

first obtaining means for obtaining markup language and multimedia content from the server (Col. 1, lines 19-23),

converter means for converting the markup language and the multimedia content obtained by the first obtaining means, into a format suitable for communication with the multimedia terminal (Col. 1, lines 43-51), and

transmitter means for retransmitting the markup language and the multimedia content to the multimedia terminal (Col. 5, lines 30-35), and the multimedia terminal includes:

second access means for accessing the server through the multimedia conversion server (Col. 2, lines 37-40; Col. 3, lines 23-32),

second obtaining means for obtaining the markup language and the multimedia content retransmitted (Col. 1, lines 19-23), and

display means for displaying the multimedia content obtained by the second obtaining means, in accordance with the markup language obtained by the second obtaining means (Col. 8, lines 10-15).

7. As per claim 2, Shaffer teaches a multimedia conversion server comprising:

access means for accessing a server through the Internet (Col. 4, lines 12-14);

obtaining means for obtaining markup language and multimedia content from the server (Col. 1, lines 19-23);

converter means for converting the markup language and multimedia content obtained, into a format suitable for communication with a multimedia terminal (Col. 1, lines 43-51); and

transmitter means for retransmitting the markup language and the multimedia content converted, to the multimedia terminal (Col. 5, lines 30-35).

8. As per claim 3, Shaffer teaches a multimedia terminal comprising:

access means for accessing a server on the Internet through a multimedia conversion server (Col. 3, lines 30-32);

obtaining means for obtaining markup language and multimedia content through the multimedia conversion server (Col. 1, lines 19-23; Col. 3, lines 30-32); and

display means for displaying the obtained multimedia content in accordance with the obtained markup language (Col. 1, lines 19-23; Col. 8, lines 10-15).

9. As per claim 4, Shaffer teaches a multimedia providing system, comprising:

a server capable of transmitting multimedia content onto the Internet (Col. 1, lines 43-45);

a multimedia conversion server capable of obtaining the multimedia content and retransmitting the content to the outside of the Internet (Col. 5, lines 30-35);

a multimedia terminal capable of obtaining the multimedia content retransmitted and providing the content for a user to use the content (Col. 5, lines 30-35), wherein the multimedia conversion server includes:

first access means for accessing the server through the Internet (Col. 6, lines 6-12);

first obtaining means for obtaining markup language and multimedia content from the server (Col. 1, lines 19-23),

separator means for separating video information from the multimedia content obtained by the first obtaining means (Col. 1, lines 19-23, lines 53-54),

synthesizer means for synthesizing the separated video information and markup language obtained by the first obtaining means to attain an image (Col 1, lines 19-23, lines 43-44),

converter means for converting the markup language and the multimedia content obtained by the first obtaining means, into a format suitable for communication with the multimedia terminal (Col. 1, lines 43-51), and

transmitter means for retransmitting the markup language and the multimedia content to the multimedia terminal (Col. 5, lines 30-35), and the multimedia terminal includes:

second access means for accessing the server through the multimedia conversion server (Col. 2, lines 37-40; Col. 3, lines 23-32),

second obtaining means for obtaining the markup language and the multimedia content retransmitted (Col. 1, lines 19-23), and

display means for displaying the multimedia content obtained by the second obtaining means, in accordance with the markup language obtained by the second obtaining means (Col. 8, lines 10-15).

10. As per claim 5, Shaffer teaches a system according to claim 4, wherein the multimedia conversion server further includes receiver means for receiving an instruction of a user of the multimedia terminal from the multimedia terminal, an interpreter means for interpreting the received instruction of the user, and display means for displaying the instruction in the obtained markup language in accordance with the instruction interpreted (Col. 5, lines 22-28, lines 60-64; Col. 8, lines 10-15; Col. 9, lines 19-31),

the synthesizer means synthesizes the markup language including the instruction displayed by the display means, in place of the obtained markup language, and the separated video information, thereby to attain an image (Col 1, lines 19-23, lines 43-44), and

the multimedia terminal further includes input means for inputting an instruction of a user, and transmitter means for transmitting the inputted instruction to the multimedia conversion server (Col. 9, lines 19-31).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer et al. (hereinafter Shaffer), US 6,092,114, in view of Hirono, Chiharu (hereinafter Hirono), US 6,263,343.

12. As per claim 6, Shaffer teaches a system according to claim 4, wherein:

receiver means for receiving an instruction of a user of the multimedia terminal from the multimedia terminal (Col. 9, lines 23-31),

the converter means converts the image, in place of the synthesized image, and the obtained multimedia content, into a format suitable for communication with the multimedia terminal (Col. 1, lines 43-51).

the multimedia terminal further includes input means for inputting an instruction of a user, and transmitter means for transmitting the inputted instruction to the multimedia conversion server (Col. 9, lines 19-31).

13. Shaffer does not explicitly teach the system wherein:

multimedia conversion server further includes drawing means for drawing a cursor on the image synthesized,

motion means for moving a position of the cursor drawn, and

14. Hirono teaches a system wherein:

drawing means for drawing a cursor on the image synthesized and motion means for moving a position of the cursor drawn (Col. 9, lines 33-36, lines 44-46; Col. 10, lines 4-11).

15. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Hirono and Shaffer because both deal with constructing and displaying an image pertaining to updated data. Furthermore, the teaching of Hirono to allow drawing means for drawing a cursor on the image synthesized and motion means for moving a position of the cursor drawn would improve functionality to Shaffer's system by allowing an added feature of positioning a cursor/pointer in order to select and view a particular image within the multimedia the user has received.

Conclusion

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents and publications are cited to further show the state of the art with respect to "Multimedia Providing System, Multimedia Conversion Server, and Multimedia Terminal".

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|------|--------------|------------------|
| i. | US 6,154,771 | Rangan et al. |
| ii. | US 6,601,108 | Marmor, Eliyahu |
| iii. | US 6,263,507 | Ahmad et al. |
| iv. | US 6,330,241 | Fort, Michael J. |
| v. | US 6,397,261 | Eldridge et al. |


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas A. Martin whose telephone number is (571)272-3970. The examiner can normally be reached on Monday - Friday 8:30 a.m. - 5:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A. Follansbee can be reached on (571)272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3970.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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November 16, 2004



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